

REMARKS

Claims 1 through 6 are currently pending. In an Office Action dated August 24, 2004, Examiner rejected claims 1 – 6 under 35 U.S.C. § 101 as being directed to non-statutory subject matter and under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 6,438,526 to Dykes et al. (“Dykes”). Applicants have amended claim 1 and respectfully traverse the rejection on the following grounds.

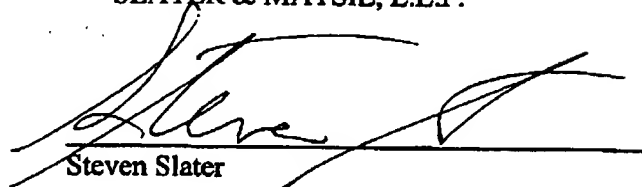
Claim 1, as amended, recites that the steps of exposing to the broker “a set of one or more generic lender profiles” and a “specific mortgage lender profile” both occur “over said web-based information exchange.” As such, sufficient technology is recited in the claim to constitute statutory subject matter. Applicants believe that as amended claim 1, and by dependency claims 2 – 6, overcome the § 101 rejection.

Claims 1 – 6 were also rejected as being anticipated by Dykes. Claim 1 recites, “exposing to the broker a set of one or more generic mortgage lender profiles.” Applicants respectfully submit that this limitation is neither shown nor suggested by Dykes. Applicants have carefully reviewed the portion of Dykes referenced by Examiner as disclosing this element and find no such teaching in the reference. Rather, Dykes merely discloses a system wherein numerous specific lender profiles can be searched, e.g., by key terms (see, e.g., Figure 4c and column 8, lines 25 – 33). While Dykes does show information regarding specific lender profiles, Dykes fails to teach or suggest a generic mortgage lender profile as recited in the claims. For this reason, Dykes does not anticipate claims 1. Claims 2 through 6 are also patentably distinct over Dykes by virtue of their dependence upon claim 1 as well as for their further defining limitations.

Applicants respectfully submit that claims 1 through 6, as amended herein, overcome all rejections and are in condition for allowance. A prompt indication of the allowance of the claims and the passage of this application to issuance is respectfully requested. No fee is believed due in connection with this filing. However, should one be deemed due, the Commissioner is hereby authorized to charge Deposit Account No. 50-1065.

Respectfully submitted,
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Date


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Amendment